

TEXAS RADIATION ADVISORY BOARD MINUTES
Second Quarter Meeting
April 7, 2001
Austin, Texas

The meeting was called to order at 9:00 a.m. by Dale E. Klein, Ph.D., P.E., Chair, with the following members present: Jimmy L. Barker, P.E.; Susan E. Best, M.D., Ph.D.; Thomas M. Burnette; Eugene A. Coleman, Ph.D.; Michael S. Ford, C.H.P.; Ian Hamilton, Ph.D.; W. Kim Howard, M.D.; Justin P. LeVasseur, M.D.; Odis R. Mack; Troy Marceleno; Bruce A. Matson, D.D.S.; and Kevin L. Raabe

The following members were absent: Earl P. Erdmann; Judith A. Pester, M.D.; Elaine L. Wells; and Philip M. Wentworth

Guests present: Wes Dunn and Tracy Tipping, International Isotopes, Inc.; Bob Wilson, McGinnis, Lochridge, and Kilgore; Eddie Selig, Advocates for Responsible Disposal; Annette Glass, Committee on Environmental Regulation; Ray Salano; and Don Darling

Texas Department of Health (TDH) central office staff present: Tom Godard

Bureau of Radiation Control (BRC) staff present: Richard A. Ratliff, P. E.; Margaret Henderson; Doris McCormick; Cindy Cardwell; Art Tate; Ruben Cortez; Bill Silva; Gary Smith, Ph.D.; Tommy Cardwell; Debbie Borden; Pete Myers; and Ray Jisha

Texas Natural Resource Conservation Commission (TNRCC) staff present: Susan Jablonski; Hygie Reynolds; George Fitzgerald; and Tony Bennett

Texas Railroad Commission (RRC) staff present: Leslie Savage

Minutes of the January 27, 2001 meeting were approved as submitted.

Ray Jisha provided a presentation to the board members on Intravascular Brachytherapy and Positron Emission Tomography.

Mr. Ratliff provided the board members with a list of legislative bills that included the word "radioactive" in the title. House Bill 1099 by Representative Chisum which is the cleanup bill for radiation control issues has passed out of committee and is waiting to go to the House. Mr. Ratliff discussed the laser bill sponsored by Representative Tillery. HB 85, a low-level radioactive waste bill, is on the calendar for Tuesday. This bill does not require the low-level radioactive waste site location to be in Hudspeth County. Rep. Chisum asked Mr. Ratliff to write a letter to the U.S. Nuclear Regulatory Commission (NRC) asking what would be required for licensing assured isolation. A copy of NRC's response was provided to the board members.

Leslie Savage reported on the Senate Bill 1338 sponsored by Senator Ogden and its impact on the Railroad Commission of Texas.

The Medical Committee (W. Kim Howard, M.D., Chair) met and a quorum was present. The University of Texas Health Science Center requested approval of an investigational study using a bone densitometer to create a database for normal bone density scores for children.

Mrs. Borden reported a partial response was received from the University providing some of the information requested by the board at its last meeting. The additional information should be received by the next board meeting. On motion and second the committee recommended the request from the University be placed on hold pending additional information. Motion passed unanimously.

Program Reports:

(1) TNRCC

- A. Susan Jablonski reported on the TNRCC's Sunset legislation which has been heard in the House Committee and several amendments have been proposed.
- B. George FitzGerald stated the radioactive licensing team has been evaluating about 18 sites in Texas to determine whether or not they have radioactive contamination. Nine of these sites have been closed out and two of the remaining sites are in state and federal Super Fund being cleaned up. A couple are being cleaned up by the U.S. Corp of Engineers. One is currently under review for a license renewal and the remaining sites are under review. This program should be completed within the next few months.
- C. Hygie Reynolds reported on a routine rulemaking being updated to comply with NRC rules. A letter was received from NRC, March 5, 2001, stating that if the proposed regulations are adopted without significant change they would meet NRC's compatibility requirements.
- D. Tony Bennett stated EPA has finalized the radionuclide in drinking water rules excluding their previous proposal for radon. That rule was published in the *Federal Register* December 7, 2000. Mr. Bennett will be speaking with EPA in May regarding their radon in water rule and asked the board to provide him with their opinion. A subcommittee of Mr. Ford, Chair; Mr. Raabe, Dr. Hamilton, and Dr. Howard was assigned to work with TNRCC on drinking water rules and report to the board at the next meeting.

(2) A. TDH, Bureau of Radiation Control (Richard A. Ratliff, P.E., Chief)

- (i) NRC will be performing their in-depth review of TDH and TNRCC, August 27 - 31, 2001.
- (ii) Staff is working with Ian Hamilton on a basic five-week introduction to radiation training course proposed by Texas A & M.
- (iii) Currently, there are 32 Agreement States with three to be added soon. The annual meeting is scheduled for October 8 - 11, 2001 in Santa Fe,

New Mexico.

- (iv) The Conference of Radiation Control Program Directors has finalized its document on the rationale for a single radiation control agency.
- (v) An incident occurred in Egypt last year resulting in the death of a farmer and his son. A 50 curie iridium 192 source for industrial radiography was taken home and the father and son received thousands of rem exposure. The entire village also received some exposure.
- (vi) Staff has been working on the financial security of uranium companies that are going out of business. Senator Truan has written letters to TDH stating that the state does not hold adequate security and this is not in the state's best interest. TDH's Internal Audit Group will perform an audit of BRC and a report will be provided to TRAB when it is completed.
- (vii) Mr. Ford asked about current staffing. Mr. Ratliff reported the central office is fully staffed and asked Mr. Tate to report on the regional staff.

B. Compliance and Inspection (Arthur Tate)

- (i) There are two vacant radioactive material inspector positions in Houston and two vacant mammography inspector positions. One inspector was hired and is being sent to the FDA mammography training courses which will take approximately six months. One of the central mammography inspectors recently filled another position within the BRC. After this position is filled, it will be transferred to Lubbock to be closer to the work area.
- (ii) The Gulf Nuclear facility in Midland/Odessa has been abandoned leaving radioactive material and contamination. A team from the Corp of Engineers is scheduled to start clean up Monday, April 9, 2001.
- (iii) The dress rehearsal for the annual emergency exercise at Comanche Peak is scheduled for July and the graded exercise is scheduled for August 2001.

B. Licensing, Registration, and Standards (Mrs. Cindy Cardwell)

- (i) The state owned property of the UMTRA site is now officially for sale by the General Land Office.
- (ii) Staff is working on mammography rules and accreditation fees and will bring these rules to the board at the next meeting. The rules on the requirements on the notices and instructions to workers and inspections is up for review under the state requirement to review rules every four years. The NORM rules will be reviewed after the legislative session.

Don Darling, a retired naval officer living in Austin and an independent nuclear critic, stated he appreciated the response he received from the board regarding the Winnie facility. He encouraged the board to get Bill 1099 enacted so that rules are strengthened. He says the NRC inspecting the BRC is mystifying because he has more confidence in the integrity of the TDH/BRC than the NRC. He believes the NRC has relaxed rules that were enacted for the safety of the public when they threatened the continued profit making of nuclear power plants.

Mr. Darling reported that he read a license application for a waste processing license in Ward County. He found that on the site, a natural gas line from the El Paso Natural Gas runs underground inside the fenced area, very close to the area where the radioactive waste would be.

Mr. Darling stated he has confidence in BRC and feels staff does not receive enough money and there are not proper laws. He believes the Texas Legislature cannot write laws that will apply five hundred years from now and radioactive material will be harmful to humans longer than that.

The next quarterly meetings were tentatively scheduled for July 21, 2001 and November 3, 2001, in Austin, Texas.

The meeting adjourned at 11:20 a.m.

Respectfully submitted,

Bruce A. Matson, D.D.S., Secretary
Texas Radiation Advisory Board